

ATTORNEY DOCKET NO. 21101.0034U3
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Roberts <i>et al.</i>)	
)	Group Art Unit: 1623
Serial No.: 10/051,463)	
)	Examiner: Peselev, Ellie
Filed: January 18, 2002)	
)	Confirmation No. 2964
FOR: PRODRUGS AND CONJUGATES OF)	
THIOL- AND SELENOL-CONTAINING)	
COMPOUNDS AND METHODS OF)	
USE THEREOF)	

TERMINAL DISCLAIMER

Petitioner, UNIVERSITY OF UTAH RESEARCH FOUNDATION, is the assignee and exclusive owner of the entire interest in Application No. 10/051,463 referenced above, which is a continuation of Application No. 09/485,321, now U.S. Patent 6,340,746, which claims priority to international patent application PCT/US98/16324, as evidenced by an Assignment from Jeannette C. Roberts, Britta H. Wilmore, Pamela B. Cassidy, Pamela K. Dominick, and Megan D. Short to the University of Utah, recorded 3/13/2000 at Reel/Frame 010664/0224, and an assignment from the University of Utah to the University of Utah Research Foundation, executed on 3/24/2004.

UNIVERSITY OF UTAH RESEARCH FOUNDATION hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of U.S. Patent No. 6,340,746 and hereby further agrees that any patent so granted on the above-identified application Serial No. 10/051,463 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S.

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Patent No. 6,340,746. This agreement shall run with any patent granted on the above-identified application and be binding upon the grantee, its successors or assigns.

In making the above disclaimer, UNIVERSITY OF UTAH RESEARCH FOUNDATION does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I, the undersigned, whose title is given below, am empowered to represent the assignee, UNIVERSITY OF UTAH RESEARCH FOUNDATION. I have reviewed all of the documents and the chain of title of the patent application, Serial No. 10/051,463, identified above and to the best of my knowledge and belief all right, title and interest in the above-identified patent application resides with the UNIVERSITY OF UTAH RESEARCH FOUNDATION.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.


21101.0034U3 Terminal Disclaimer.DOC

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UNIVERSITY OF UTAH RESEARCH
FOUNDATION

Name: Jayne Carney, Ph.D.

Title: Director

Signature: 

Date: 4/2/04